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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,911	12/12/2003	A. Wade Cohn	804132-US-NP(1)	2291
47394	7590	05/21/2010	EXAMINER	
HITT GAINES, PC ALCATEL-LUCENT PO BOX 832570 RICHARDSON, TX 75083			AL AUBAIDI, RASHA S	
			ART UNIT	PAPER NUMBER
			2614	
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			05/21/2010	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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***Response to Arguments***

Applicant's arguments filed on 04/23/2010 have been fully considered but they are not persuasive.

Applicant argues (Page 16 of the Remarks) that “the Office Action fails to address the feature 'after said receiving’”. However, the Examiner is clarifying the record that this limitation is already taught Bateman and it reads on “on the information filled by the customer and passed to the agent such as form 54, as disclosed in col. 6, lines 17-18 **or** it can read on customer information that is passed to the agent such as the CLID col. 10, lines 7-13 and lines 47-52 or reasons for requesting the live help which read on the customer communicating his need or question to the agent, which is an inherent if not obvious limitation within the teachings of Bateman. Thus, the Batman reference teaches that the agent by default will know **after** the caller/customer call is received at the agent station that this caller/customer is calling regarding a question or inquiry that he/she encountered while using the internet browser web page (see col. 2, lines 23-29).

Applicant also argues (Page 17 of the Remarks) that “As an initial matter, Claim 1 does not read on the transaction between the customer and the call center described by Bateman, as applied in the Office Action, because the phone call is made from the call center to the customer. Thus, it is the customer who receives the second communication. In contrast, Claim 1 specifies that the provider of the automated option, e.g. the call center, receives the second communication. Thus, the second communication described by Bateman, as applied by the Office Action, is in the wrong direction, and does not describe the second communication of Claim 1”. The Examiner

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would like to bring to Applicant's attention that some embodiment in Bateman it may teaches the feature of having the agent submitting a callback to a customer based on customer callback request. However, other embodiment such as the one shown in Fig. 9, teaches that a customer may initiates a direct call to an agent (see col. 9, lines 65-67 through col. 10, lines 1-8). Thus, and according to this embodiment the Bateman reference is not in the wrong direction as alleged by the Applicant.

Applicant also adds in another argument (Page 17 of the Remarks) that the second communication is "related to first communication (the pop-up window 54)". However, the Examiner is unaware of the pop-up window 54 in the Bateman reference. The Applicant is kindly requested to clarify which part of the Bateman reference element "pop-up window 54" is discussed or cited.

Regarding Applicant's argument (Pages 17-18 of the Remarks) of "receiving a second communication with the server via a second communication channel, the second communication comprising a speech or DTMF signal", the Examiner stated that this limitation is obvious if not inherent since Bateman teaches the a customer is able to make selections with the telephone keypad, which basically reads on the DTMF (see col. 2, lines 42-44) and a public switch telephone network (see col. 3, lines 7-13).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S. AL-Aubaidi whose telephone number is (571)

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272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488.

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/Rasha S AL-Aubaidi/

Primary Examiner, Art Unit 2614